

California Victim Compensation and Government Claims Board

Open Meeting Minutes

December 14, 2006, Board Meeting

The California Victim Compensation and Government Claims Board (Board) convened its meeting in open session at the call of Rosario Marin, Secretary, State and Consumer Services Agency, at the First Floor Hearing Room, 630 "K" Street, Sacramento, California, on Thursday, December 14, 2006, at 10:00 a.m. Also present was Board member Windie Scott, Deputy State Controller, acting for and in the absence of Steve Westly, Controller.

Board staff present included Karen McGagin, Executive Officer; Tom O'Connor, Chief Deputy Executive Officer; Kathleen Andleman, Chief Counsel; and Linda Paluda, Manager, Government Claims Program. Tisha Heard, Board Liaison, recorded the meeting.

The Board meeting commenced with the Pledge of Allegiance.

Item 1. Minutes of the November 16, 2006, Board Meeting

The Board voted to adopt the minutes of the November 16, 2006, Board Meeting.

Item 2. Public Comment

The Board opened the meeting for public comment.

No public comment was offered.

Item 3. Executive Officer's Statement

The Executive Officer gave her report to the Board which included the following information:

- Acknowledgement of outgoing Board member, State Controller Steve Westly- A special thanks to Mr. Westly who has served on the Board since 2002 and his support of victims and to his office for the help and cooperation we have received in implementing CaRES. The Board is also very appreciative of the service Windie Scott has provided in her capacity as Mr. Westly's representative on the Board. The Board looks forward to welcoming John Chiang, State Controller-elect, as a new member.
- VCGCB Headquarters Relocation—The VCGCB will relocate to 400 R Street on January 5. The new building offers a large, easily accessible public meeting room, an opportunity for the VCGCB to upgrade its telecommunications infrastructure, and an opportunity to enhance customer service to all of our stakeholders.
- New Appointment – Frances Chacon is the newly appointed Deputy Executive Officer of the VCGCB Legislation and Public Affairs Section.
- VCGCB Updates – VCGCB staff provided training to advocates from San Luis Obispo, Santa Barbara, and Ventura Counties; participated in a meeting of the Attorney General's Task Force on Human Trafficking; held the quarterly Victim Compensation Advisory Committee meeting; and participated in a meeting of the California Coalition for Children's Internet Safety to assess the success of the Cyber Safety Summit that was held by the Department of Consumer Affairs in October.

Government Claims Program

Item 4. Consent Agenda (Nos. 1- 506)

The Board voted to adopt staff recommendations for numbers 1 through 506 with the exception of numbers 35 and 210, which were continued at the request of the claimants.

Item 5. Benjamin Miller **G563965**

This item was continued at the request of the claimant.

Item 6. Santa Clara County Sheriff's Office **G557686- 557690**

The Board voted to adopt the staff recommendation to allow the claims in the total amount of \$2,726.00 to be paid pursuant to Government Code section 13928 (legislative pay).

Item 7. Protest of Bottom Line Utility Solutions **Invitation for Bid Number CCC145SF101-KF**

W. Samuel Niece of Thelen Reid Brown Raysman & Steiner LLP appeared on behalf of Bottom Line Utility Solutions.

George Sifuentes, Deputy Director, Office of Facilities Management, and Mike DeWong, Staff Counsel, appeared on behalf of the California Department of Corrections and Rehabilitation.

The Board voted to adopt the staff recommendation with modifications.

Item 8. Jason Kindle (Penal Code sec. 4900) **Claim Number G538791**

Michael J. Curls, attorney, appeared on behalf of Jason Kindle.

Michael Farrell, Deputy Attorney General, appeared on behalf of the California Department of Justice, Office of the Attorney General.

The Board voted to adopt the staff recommendation to deny the claim.

Victim Compensation Program

The Board commenced the Victim Compensation Program portion of the meeting at 11:00 a.m.

Item 9. Contract Report

The Executive Officer delivered the contract report to the Board.

Item 10. VCP Statistical Report

Chip Skinner, Assistant Deputy Executive Officer of the VCP, presented the Victim Compensation Program Statistical Data report for July 1, 2006, through September 30, 2006.

Item 11. Requests for Reconsideration (Nos. 1 - 13)

The Board voted to adopt the staff recommendations to deny the requests for reconsideration.

Closed Session

Pursuant to Government Code sections 11126(c)(3) and 11126(e), the Board adjourned into Closed Session with the Board's Executive Officer, Chief Deputy Executive Officer, and Chief Counsel at 11:09 a.m. to deliberate on the proposed decisions, numbers 14 through 36, and to confer with and receive advice from counsel regarding pending litigation.

The Board reconvened into open session at 11:18 a.m.

Open Session

The Board voted to adopt the proposed decisions, numbers 14 through 36, with the exception of number 16, which was referred to the hearing officer to address issues regarding the dental bill.

Adjournment

The meeting adjourned at 11:20 a.m.

Karen McGagin
Executive Officer

I certify that the California Victim Compensation and Government Claims Board adopted these minutes at its meeting of January 18, 2007, at Sacramento, California.

Date: January 18, 2007

By: _____

Board Liaison

(Affix Seal here)